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ABSTRACT

The impact of state funding of higher education and corrections on African American men was studied by analyzing the National Association of State Budget Officers' annual state expenditure reports for the 15-year period from 1985 to 2000. To ensure proper scale, all 1985 figures were converted to 2000-year dollars by using the Bureau of Labor Statistics consumer price index inflation calculator. The analysis established that the share of total state and local government spending on higher education has declined as spending on prisons has increased. Between 1985 and 2000, state corrections spending grew at six times the rate of state spending on higher education. Next, trends in African American male enrollments in higher education and estimates of African Americans in prison and jail were compared. The comparison revealed that nearly one-third more African American men are incarcerated than are enrolled in higher education. The following were among the policy actions recommended to help reverse these trends: (1) repeal mandatory sentencing, restore judges' discretion, and place low-risk nonviolent offenders in alternatives to incarceration; (2) reform drug laws to divert offenders from incarceration; (3) restructure sentencing; and (4) reform parole practices. (A bibliography listing 10 references is included along with 35 endnotes.) (MN)

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Cellblocks or Classrooms?: The Funding of Higher Education and Corrections and Its Impact on African American Men[1]

"We are faced with any number of bad choices...It's pretty much pick your poison."—A North Carolina Legislator comments of the fiscal choices facing his state.[2]

"Based on national averages, state spending for higher education will have to increase faster than state spending in other areas— just to maintain current services... Since the percentage of the state budget dedicated to higher education has actually declined over the past decade, continuing to fund current service levels for higher education would represent a significant shift in state budget trends."—Harold A. Hovey, Spending for Higher Education in the Next Decade, The National Center for Higher Education (1999).

Introduction: The "Dire Situation" of State Budgets

In July, most states began what promises to be a difficult fiscal year (2003). The mild recession that began in 2001, aggravated by the events of September 11th, put state revenue into a tailspin in 2002, resulting in a $40 billion budget shortfall between what states planned to spend and the revenue they expected to raise.[3]

In July, some states began calling for new special legislative sessions to raise more money or to cut more programs because revenue projections made in April 2002 were already off target.[4] Scott Pattison, Executive Director of the National Association of State Budget Officers, reports that 41 states face budget deficits, and described the fiscal challenges facing the states as "a dire situation."[5]

As the two quotes above illustrate, many state legislatures will soon be facing requests from the nation's universities and colleges to increase spending on higher education. Such increases will be needed just to maintain the current level and quality of services—let alone meet the demands of the more ethnically heterogeneous, technology driven and poorer student base expected to begin enrolling in college this decade.[6] Legislators will be hard pressed to meet these challenges, even if they only need to balance higher education against the traditional large line items of K-12 Education and Medicare. But in addition to these growing budget items, states must now contend with burgeoning corrections costs, which have steadily increased as the prison population surged two decades ago.

In *Cellbocks or Classrooms?*, the Justice Policy Institute provides a fiscal analysis of state spending over the last 15 years to serve as a guide to the public and policymakers as they struggle to balance the needs of nation's colleges and universities against those of the prison system. Throughout the 1980s and 1990s, funding for higher education was sacrificed to an ever increasing and costly corrections system. This report is designed to give policymakers the tools to make better choices to meet both educational and public safety needs for the next decade.

Paying for Classrooms and Corrections: The Changing Structure of State Financing

The way state spending has evolved throughout much of the country, the costs of maintaining prisons and universities have collided in the same part of states' discretionary funding pots. About half the money states spend each year is restricted and can only be spent to run certain programs, build projects and deliver key services. Only the remaining 48 % of total state expenditures is discretionary, meaning that state legislators can decide each year to cut funding to one program to fund another. This pot of money is commonly referred to as a state's "general fund."[7]

State spending on corrections and higher education has traditionally come from the general fund. As the prison population quadrupled over the last two decades, corrections' share of the general fund grew, squeezing out the dollars legislators could choose to use to fund other things, like higher education. During the time that states began to fund growing prison systems, they began to rely more heavily on federal funds and schemes to specially

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designate money under "other state funds" to pay for colleges and universities. State governments and universities also shifted a large proportion of the burden directly onto students through tuition and fee increases. Between 1980 and 1998, the percentage change in state funding per student increased 13%, while the percentage change in tuition and fee increases per student rose by 107%.[8] All the while, demand for higher education expanded, both for high school graduates entering college (the rate rose from 49% in 1980 to 62% in 2000)[9] and for adults returning from the workforce.

The proportion of all state funding for higher education from the general fund declined from 70% in 1985 to 53% in 2000. The general fund pie was further restrained in the 1990s, when most states cut taxes, limiting the amount of state revenue that could be raised. Thus, in just two decades, prisons and universities came to compete for a scarcer portion of states' budgets that is neither mandated by federal requirements nor driven strictly by population – like Medicare or K-12 education.[10]

Authors with the Justice Policy Institute and Center on Juvenile and Criminal Justice conducted a series of fiscal surveys in the 1990s that first alerted the public to the impact of expanding corrections budgets on the higher education sector. Some of our previous findings include:

- States around the country spent more building prisons than colleges in 1995 for the first time. That year, there was nearly a dollar-for-dollar tradeoff between corrections and higher education, with university construction funds decreasing by $954 million to ($2.5 billion) while corrections funding increased by $926 million to ($2.6 billion).[11]
- From 1984 to 1994, California built 21 prisons and only one state university. During that decade, the prison system realized a 209% increase in funding, compared to a 15% increase in state university funding.[12]
- In New York, between 1988 and 1998, the state spent $761 million more on corrections, while spending on state colleges and universities declined by $615 million.[13]
- During the 1990s, the state of Maryland's prison budget increased by $147 million, while its university budget decreased by $29 million.[14]

Since JPI's last fiscal analysis of state spending in 1998, the country experienced two more years of economic growth, bringing with them relatively stable state revenue streams. Looking back from fiscal year 2000—the decade that ended before the current recession began—one could have reasonably assumed that states would be in better position to fund colleges and universities than they are currently. Unfortunately, even during the "good times," the fiscal story of the last fifteen years shows that without some new public policy directions, state funding of higher education will continue to be diminished by burgeoning corrections budgets.

Methodology 1: State Spending Analysis, 1985-2000.

To get a comprehensive sense of state spending priorities, JPI examined state spending from the general fund on higher education and corrections over the 15-year period from 1985 to 2000 by analyzing the National Association of State Budget Officers' (NASBO) annual State Expenditure Report for those years. Since its inception in 1985, the State Expenditure Report has developed into the definitive baseline for the analysis of state spending, employing standard fiscal definitions for all states, and covering 99% of total state spending. Since the first "actual fiscal year" for State Expenditures Report begins in 1985, we used that year as our starting point. Highlighting state spending on higher education and corrections from the general fund allows the readers to compare "apples to apples." This time period is highly relevant to an examination of corrections spending as well: while America's prison population quadrupled between 1980 and 2000, 83% of that growth occurred between 1985 and 2000.

To ensure proper scale, all 1985 figures were converted to 2000-year dollars using the Bureau of Labor Statistics consumer price index inflation calculator (http://www.bls.gov/cpi/). If 1985 year spending figures were unavailable for a state, 1986 figures were used, and we made note of this in the appropriate tables.[15] We also reviewed studies by Postsecondary Education Opportunity, a research seminar and newsletter that reviews issues relating to access to higher education.

Finding 1: The Share of Total State and Local Government Spending on Higher Education has Declined as Spending on Prison has Increased.

While federal, state and local governments have always paid for prisons, only since the incarcerated population began to surge over the last two decades have spiraling corrections budgets begun to squeeze out funding for other state programs.

An analysis of state and local spending on higher education and corrections by Postsecondary Education

Opportunity showed that, from the 1950s to 1980, the share of state and local spending on colleges and universities doubled (from 3.5% in 1952 to 8.0% in 1980), while the percentage of spending on corrections remained essentially the same (from 1.5% in 1952 to 2.1% in 1980). As new colleges and universities were built throughout the 1950s and 1960s, and classrooms opened to new generations of young adults, funded by governments experiencing relatively prosperous times, the nation's prison and jail populations remained relatively stable.

Table 1: Higher Education's Share of State and Local Spending Dropped from the mid-1980s to 2000 as Prison Spending Grew.

TOTAL		Higher Education		Prisons		
Year	State and Local Expenditure	Dollars (in the billions)	Percent of State/Local Spending	Dollars (in the billions)	Percent of State/Local Spending	Prison and Jail Populations
1952	$20.00	$0.70	3.50%	$0.30	1.50%	252,615
1960	$38.10	$2.00	5.20%	$0.60	1.60%	332,915
1970	$107.50	$7.60	7.10%	$1.60	1.50%	338,029
1980	$307.80	$24.70	8.00%	$6.40	2.10%	503,586
1981	$336.90	$27.60	8.20%	$7.40	2.20%	556,814
1982	$362.50	$29.90	8.20%	$8.70	2.40%	612,496
1983	$387.30	$31.00	8.00%	$9.90	2.60%	647,449
1984	$412.60	$32.90	8.00%	$11.20	2.70%	682,764
1985	$447.00	$36.10	8.10%	$13.00	2.90%	744,208
1986	$487.20	$38.40	7.90%	$14.60	3.00%	800,880
1987	$523.80	$39.80	7.60%	$16.60	3.20%	858,687
1988	$558.10	$42.70	7.70%	$18.50	3.30%	951,335
1989	$599.60	$45.80	7.60%	$21.10	3.50%	1,078,920

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1990	$660.80	$49.50	7.50%	$24.10	3.60%	1,148,702
1991	$723.80	$50.80	7.00%	$26.40	3.60%	1,219,014
1992	$777.20	$50.50	6.50%	$28.50	3.70%	1,295,150
1993	$821.70	$54.20	6.60%	$30.70	3.70%	1,369,185
1994	$865.20	$57.10	6.60%	$33.70	3.90%	1,476,621
1995	$902.50	$58.10	6.40%	$36.50	4.00%	1,585,586
1996	$939.00	$59.40	6.30%	$39.30	4.20%	1,646,020
1997	$980.30	$61.50	6.30%	$41.60	4.20%	1,743,643
1998	$1,033.70	$65.30	6.30%	$43.30	4.20%	1,816,931
1999	$1,101.70	$69.60	6.30%	$46.50	4.20%	1,893,115
2000	$1,189.80	$74.40	6.30%	$51.00	4.30%	1,933,503*

Source: Spending Figures: Rubanov, Natasha, and Mortenson, Tom, "Table 3.16: Selected Current Expenditures by Function of State and Local Governments: Bureau of Economic Analysis, National Income and Product Accounts." Oskaloossa, IA: Postsecondary Education Opportunity Letter, 2001. www.postsecondary.org; Prison and Jail Populations, 1980 to 2000, Bureau of Justice Statistics (2001); 1952 to 1970, Justice Policy Institute (1999). *While this count of prison and jail inmates only includes citizens above age 18, including non-citizens and youth in detention, there are over two million people incarcerated in the United States.

Starting in the 1980s, policymakers chose to respond to public concerns about crime by focusing more resources to house and incarcerate a much larger prison population than existed historically. Between 1980 and 2000, the American jail and prison population quadrupled from 500,000 to 2 million prisoners. As the federal government, states, counties and cities built hundreds of new jails and prisons, hired thousands of new correctional officers, spent billions to house and feed millions of new prisoners, the cost of the expanding corrections system came to occupy a much larger share of state and local spending. By the millennium, the cost of incarcerating the nation's 2 million prisoners caused corrections to consume 4.3% of all local and state spending (a 104% increase since 1980). During that same period of time, higher education's share of all state and local spending dropped from its historic high of 8.2% in 1981 to 6.3% (a 23% drop since 1981, or a 21% drop since 1980). Put another way: as higher education slipped from 8.2% of state and local expenditures to 6.3%, corrections grabbed up that two-percentage point slip, growing from 2.2% to 4.3% of state and local spending.

Finding 2: Between 1985 and 2000, State Corrections Spending Grew at 6 Times the Rate of Higher Education.

As Table 2 shows, the large gap that once existed between state spending on prisons and higher education has substantially narrowed over the last fifteen years. Overall, the increase in state spending on corrections was nearly

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double that of the increase to higher education ($20 billion on corrections, $10.7 billion on higher education). State spending on corrections grew 166% during the period, compared to a 24% increase on higher education. While eight states, including Wyoming, Alaska, Montana, New York[16], and California saw real declines in the amount of constant dollars they spent from their general fund for higher education, every state experienced significant increases in prison spending. In most states, corrections spending doubled (25 states) or tripled (10 states) in size. By contrast, only 1 state (Nevada) doubled its overall higher education spending in real dollars. Even in Washington, DC, where the federal government began assuming the fiscal burden for corrections in 2000, the corrections budget only experienced a marginal decline and higher education funding also declined.

Table 2: Between 1985 and 2000, the Gap Between State Spending on Higher Education and Corrections Narrowed—State Spending (General Fund) 1985 and 2000 ($ in the Millions, and Adjusted for Inflation).

State or Jurisdiction	State Spending on Higher Education, 1985	State Spending on Higher Education, 2000	State Spending on Corrections, 1985	State Spending on Corrections, 2000
AL	781	1,100	152	258
AK	371	176	114	165
AR	400	526	56	161
AZ	595	892	214	622
CA	6,528	5,469	1674	4,748
CO	614	711	82	382
CT	413	566	130	471
DE	152	212	66	169
DC*	107	99	259	246
FL	1,608	3,022	490	1,554
GA*	1,003	1,933	327	1,091
HI	272	281	50	132
ID	158	259	21	110
IL	1,800	2,345	531	1,113
IN	1,002	1,396	166	522
IA	563	901	115	238
KS	491	638	90	263
KY	683	910	128	338
LA	864	916	456	517
ME	118	95	48	84
MD	782	1,068	541	696
MA	914	1,064	194	723
MI	1,608	2,038	488	1,596
MN	1,034	1,793	138	342
MS*	518	694	86	245
MO	611	927	126	423
MT	146	125	32	90
NE	341	480	58	144
NV*	149	306	71	147
NH*	94	98	24	57
NJ	1,156	1,663	426	1,010
NM*	366	544	104	154
NY	3,379	2,531	998	2,367
NC	2,196	2,365	362	900
ND	192	159	8	28
OH	1,762	2,432	486	1,512
OK**	570	813	160	365
OR	374	612	117	484

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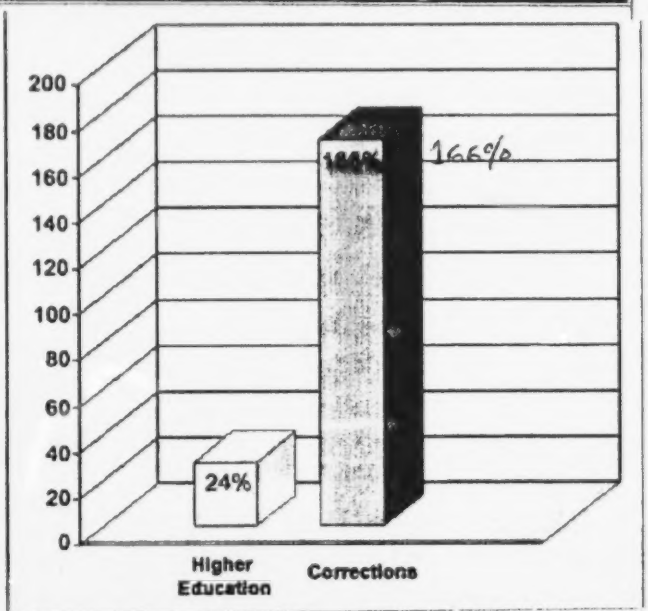
PA	1,395	1,739	258	1,323
RI	163	160	48	138
SC	624	804	202	431
SD	123	125	14	44
TN	810	992	227	395
TX*	3,069	4,512	590	2,629
UT	368	546	78	230
VT	67	65	24	67
VA	1,088	1,540	510	899
WA	1,080	1,222	230	548
WV*	314	393	33	79
WI*	688	1,145	190	710
WY	165	140	20	42
Total	**44,869**	**55,542**	**12,012**	**32,002**

Source: National Association of State Budget Officers, *State Expenditure Reports, 1985; 2000* (1987; 2001).* As some states did not publish fiscal data for 1985, we used the next available year for those states

Bar Chart 3: The Total Increase in State Spending on Corrections Towers Over the Increase in Higher Education Spending.



Source: National Association of State Budget Officers, State Expenditure Reports, 1985; 2000 (1987; 2001).

Table 5 shows the percent change in spending on corrections and higher education for every state. In most states, the growth in funding for prisons dwarfed that of higher education. On average, state spending on prisons grew at 6 times the rate of higher education spending. Idaho came in first in the race to increase its prison budget (424% increase), followed by Pennsylvania (413% increase), Colorado (366%), Texas (346%) and Oregon (314%). Forty-five states increased spending on corrections by more than 100% during the period, and 18 increased their spending by more than 200%. By contrast, only one state (Nevada) experienced a 100% increase in spending on higher education. A third of the states either spent less or experienced less than a 16% increase in higher education spending.

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Table 4: In Most States, the Growth in Funding for Prisons Dwarfed that for Higher Education. On Average, State Spending on Prisons Grew at 6 Times the Rate of Higher Education Funding (General Fund).

State	Change in State Spending on Higher Education, 1985-2000	Change in State Spending on Corrections, 1985-2000
AL	41%	107%
AK	-53%	45%
AR	32%	188%
AZ	50%	191%
CA	-16%	184%
CO	16%	366%
CT	37%	262%
DE	39%	156%
DC*	-7%	-5%
FL	88%	217%
GA*	93%	234%
HI	3%	164%
ID	64%	424%
IL	30%	110%
IN	39%	214%
IA	60%	107%
KS	30%	192%
KY	33%	164%
LA	6%	13%
ME	30%	75%
MD	37%	29%
MA	16%	273%
MI	27%	227%
MN	73%	148%
MS*	34%	185%
MO	52%	236%
MT	-14%	181%
NE	41%	148%
NV*	105%	107%
NH*	4%	138%
NJ	44%	137%
NM*	49%	48%
NY	-25%	137%
NC	8%	149%
ND	-17%	250%
OH	38%	211%
OK**	64%	128%
OR	64%	314%
PA	25%	413%
RI	-2%	188%
SC	29%	113%
SD	2%	214%
TN	22%	74%

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TX*	47%	346%
UT	48%	195%
VT	-3%	179%
VA	42%	76%
WA	13%	138%
WV*	25%	139%
WI	29%	274%
WY*	-15%	110%
Average Percent Change of States	**29%**	**175%**

Source: National Association of State Budget Officers, *State Expenditure Reports, 1985; 2000* (1987; 2001). * As some states did not publish fiscal data for 1985, we used the next available year for those states.

It is important to keep in mind that the time period under analysis included a time described as the longest post-war economic expansion in American history. In the eighteen months since then, the nation has endured job losses, a rising unemployment rate, and a serious decline in the value of the stock market—all hallmarks of poor economic times. As NASBO points out in State Expenditure Reports, 2000 we can expect even larger declines in spending on higher education unless states increase revenue by increasing taxes or by decreasing spending on other areas that compete for higher education dollars:

The caveat for higher education, however, is that the pattern continues to prove that state spending is closely tied to economic cycles and fluctuates widely as tax revenues rise or fall with changing economic conditions. Because higher education is one of the few remaining areas within state budgets for which spending is strictly discretionary, and because in most states higher education institutions have discretion to decide how reductions or adjustments will be implemented, funding remains vulnerable to these outside factors.[18]

As mentioned before, states and educational institutions have sought out other streams of revenue to keep pace with higher education's declining share of state spending. Private gifts/grants and contracts to universities and endowment income increased at, respectively, 12 and 7 times the rate of state support.[19]

States and educational institutions have also shifted a large portion of their funding burden to students. Tuition and fee support for higher education has risen at 8 times the rate of state support.[20] The National Center for Public Policy and Higher Education[21] recently found that for low-income families the cost of paying the tuition at a four-year public institution increased from 13% of median family income in 1980 to 25% in 2000.

During approximately the same time, federal support for students through Pell Grants has not kept pace with tuition increases. Where the average Pell Grant per recipient covered 98% of tuition in 1986, by 1998 it covered only 57%. Over the 1990s, federal financial aid shifted support from grants to loans, increasing the debt load students must carry to attend colleges and universities. Even more ominous, the steepest increases in public college tuition since 1980 have occurred during recessions and times of the greatest economic hardship. While most students will share some part of this added burden, the poorest students will be disproportionately affected by rising college and university costs.

The Social Math of Choosing Cellblocks over Classrooms: More African American Men Incarcerated than Enrolled in Higher Education

In previous studies, JPI and others have contexualized the tradeoffs between state spending choices by showing the way communities have been impacted by the nation's increasing emphasis on incarceration policies. America's burgeoning prison system has been fueled by the incarceration of non-Whites, particularly African American men. A study by the National Center on Institutions and Alternatives[22] showed that between 1985 and 1997 (when more than a million new prisoners were added to state and federal prisons), 70% of prison growth came from the addition of new African American and Latino prisoners. While 16% of the prison population is estimated to be Latino and their overrepresentation[23] in facilities is beginning to be documented, the African American community has borne the brunt of our expanding corrections policies. Studies and data gathered by the Bureau of Justice Statistics shows that close to one million of the two million people incarcerated in the United States are African American, and that an African American man born in the 1990s has a 1 in 4 chance of spending some time in

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prison during his lifetime.[24] The Sentencing Project has estimated that, on any given day, one out of three[25] young African American men are under some form of criminal justice control. Others have shown that more than half of the young African American men in Washington, DC and Baltimore, MD are in prison, jail, parole or probation.[26]

Similarly, the Justice Policy Institute has documented how states and federal government policies have changed the way they choose to spend money on African American men. Previous policy reports have shown that:

- In New York State in 1998, there were more African American and Latino men "upstate" in prisons than were graduating from state colleges and universities.[27]
- In the 1990s, African American enrollment in higher education in California declined, as 50,000 new African American inmates were added to the prison system. In California, for every African American male subtracted from a University of California or California State University campus, 57 were added to a state correctional facility. During the same period, three Latino males were added to the prison population for every one added to California's four-year public universities.[28]
- In the early 1990s, Washington, DC literally had more inmates in its prisons than students in its university system.[29]
- The Post-Secondary Opportunities newsletter calculated that, in 1994, there were about 678,300 African American males incarcerated in federal and state prisons and local jails, and 549,600 black males enrolled in higher education. Given what was known about government spending per full-time student in 1993, and the annual costs of incarceration, the researchers estimated that "society now [1994] spends about $2.8 billion to higher educate black males, and $10 billion to lock them up".[30]

We cannot definitively say whether the prison system is actually siphoning off African American men who were destined to go to college. We do know that while the college enrollment rate for African Americans who are recent high school graduates did increase from 41.8% in 1980 to 54.8% in 2001, that increase occurred at a time when rates for all high school graduates increased at an even greater rate[31] As a result, the gap between the White rate of college enrollment for high school graduates (63.1%) and the analogous African American rate actually increased slightly between 1980 and 2001.

Clearly, African American men did make progress in accessing higher education over the two decades, but some systemic barriers remain that are limiting their opportunities for equal access to colleges and universities. Regardless, to show how changes in fiscal priorities and policies affects specific communities, it is necessary to review how states have chosen to spend scarce government dollars on African American men.

Methodology 2: Comparing African American Male Enrollment to Estimates of African Americans in Prison and Jail.

As with the 1996 survey by Post Secondary Opportunities, this study used a count from the National Center on Education Statistics of the state-by-state tally of African American male enrollment in higher education. NCES provided a special data set from their Integrated Post-Secondary Education Data System, Fall Enrolment, 1999 Survey—the latest year available.[32]

A national estimate of African American men in prison and jail was taken from the Bureau of Justice Statistics in Prison and Jail Inmates at Midyear 2000, table 13.

Since BJS has not broken down their estimate of African American male prisoners by state, we developed our own estimate of African American men under the jurisdiction of state and federal penal authorities for 1980, and 2000. We took a count of the number of men under the jurisdiction of state and federal prison systems for 1980 and 2000 from reports by the Bureau of Justice Statistics. As BJS does not have the racial and ethnic proportions of prison populations in each state for 2000, we applied the proportions calculated by the *National Center on Institutions and Alternatives*[33] for state prison populations in 1997 against the BJS count of the males under the jurisdiction of state and federal penal authorities for 2000. Similarly, to estimate the change over time in each state, we applied the NCIA 1985 estimates of the racial and ethic proportions of their prison systems against the 1980 count of state and federal male inmates.[34]

Finding 3: Nearly a third More African American Men Are Incarcerated than in Higher Education.

In 2000, there were approximately 791,600 African American men under the jurisdiction of state and federal prison systems and in local jails. That same year, there were 603,032 African American men enrolled in higher education. This means there were 188,500 more African American men incarcerated than in higher education at the millennium. As disturbing as the 1993/4 estimate by Post-Secondary Opportunity was, today's "education vs. incarceration gap" is even wider than it was that year, by some 60,000 African American men. In just seven years since Post-Secondary Opportunity made their 1993/4 estimate, 113,000 African American men were added to the nation's jails and prisons.

Using our estimates for each state, we found that in 1980, there were approximately 143,000 African American men in state and federal prison, and 463,700 African American men enrolled in colleges and universities. Over the last two decades, the states and federal government have closed the gap between African American "enrollment" in prison and higher education. There are almost as many African American men just in federal and state prisons (excluding jails) as there are in higher education. Instead of investing in education and other programs, states and the federal government invested in African American men by adding 460,000 African American men to the nation's penal system over a 20-year period. By contrast, the higher education system added 139,000 African American men.

Table 5 shows that in 1999/2000, there were 13 states in which we estimate there were more African American men under the jurisdiction of state prison systems than in college (Connecticut, New Jersey, Pennsylvania, Indiana, Michigan, Missouri, Ohio, Wisconsin, Delaware, Louisiana, Oklahoma, Texas and Alaska). In Florida, Georgia and South Carolina, which together have almost 80,000 African American men in prison, the difference between their estimated African American male prison populations and higher education enrollment varies from a few hundred to two thousand. While Washington, DC reversed the trend we reported in the early 1990s by having 500 more people enrolled in the University of the District of Columbia than in prison, the number of African American men in higher education in DC dropped more than the number of African American men in the prison system. Again, in terms of considering places where there are more African American men "behind bars" than in college, Table 5 is a conservative estimate, because it does not include incarcerated African American males, for most states.

Table 5: There are More African American Men Incarcerated in the U.S. than are Enrolled in Higher Education: Estimates of African American Men in State and Federal Prison Systems and Jails.

State/ Jurisdiction	Estimates of African American Men in Prison, 2000	African American Men in Higher Education, 1999
Federal	**50,100**	**652**
AK*	600	384
AL	16,200	21,187
AR	6,200	6,415
AZ	3,500	5,638
CA	47,100	59,838
CO	3,700	4,594
CT*	7,900	5,187
DC*	6,900	7,451
DE	4,000	2,682
FL	37,000	37,437
GA	27,700	29,611
HI*	200	907
IA	1,800	2,562
ID	100	292
IL	27,600	34,838
IN	8,000	7,763
KS	3,000	4,230
KY	5,300	5,564
LA	25,000	20,624

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MA	2,900	11,126
MD	17,300	22,919
ME	100	299
MI	24,300	21,454
MN	2,200	4,948
MO	11,600	11,216
MS	13,900	15,315
MT	0	147
NC	19,000	30,762
ND	0	265
NE	1,100	1,786
NH	100	573
NJ	18,100	15,083
NM	500	1,350
NV	2,500	2,708
NY	31,600	46,581
OH	23,200	20,074
OK	7,200	6,233
OR	1,300	1,701
PA	20,000	19,585
RI*	1,000	1,730
SC	14,200	15,282
SD	100	274
TN	10,500	14,775
TX	66,300	40,872
UT	400	591
VA	18,800	23,718
VT*	0	222
WA	3,000	5,859
WI	9,100	5,291
WV	600	2,158
WY	100	179
JPI-State/Federal Prison Estimate totals	**602,900**	**603,032**
BJS Estimate for African American Men in Prison and Jail June 30, 2000	**791,600**	
African American Men Incarceration vs. Education, 1999/2000	**791,600**	**603,032**
African American Men in Prison and Jail, 1993/4 (Post Secondary Opportunity Estimates)	**678,300**	**549,600**

Sources: State estimates of prison populations by the Justice Policy Institute, and national estimates by the Bureau of Justice Statistics (2001); National Center on Institutions and Alternatives (2001); National Center on Education Statistics (2001).
*Some states have unified jail-prison systems. State estimates were rounded to the nearest hundred. Please see methodology and notes for detailed explanation.

Table 6 illustrates that over the past two decades, 38 states (and the federal prison system) were estimated to have added more African American men to prison than were added to the enrollment of their respective higher

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education systems. Most of the states that witnessed more African American men entering college than prison were small states with small prison systems. But in some cases, the scale of that gap between how states chose to spend their scarce dollars on African American men is overwhelming. In Ohio, for example, 38 times as many African American men were added to the prison system than to higher education (17,300 to 452) between 1980 and 2000. In New York, three times as many African American men were added to the prison rolls as to higher education. Texas led the nations' states and jurisdictions in adding African American men to prison: The Lone Star State added more than 4 times the number of African American men to its prison system (54,500) than it did to its colleges and universities (12,163). While California has more African American men in higher education than prison, the number of African American males in colleges and universities in that state dropped, while the state added nearly 40,000 African American men to the prison system.

Table 6: During the Last Two Decades, Three Times as Many African American Men were Added to State and Federal Prison Systems as Were Added to Higher Education

State/ Jurisdiction	Estimated Change in African American Male Prisoners, 1980-2000	Change in African American Males Enrolled in Higher Education, 1980-2000
Federal	**42,900**	**-4,292**
AL	500	7,081
AK*	12,500	160
AR*	4,800	1,522
AZ	2,800	2,596
CA	39,400	-3,752
CO	3,200	2,138
CT*	6,100	1,740
DC	3,900	-4,071
DE*	3,200	1,218
FL	27,200	20,489
GA	20,800	15,203
HI	200	506
IA	13,00	729
ID	100	95
IL	20,700	6,444
IN	5,800	996
KS	2,200	1,247
KY	4,200	1,319
LA	18,800	6,426
MA	1,900	4,777
MD	11,900	8,696
ME	100	196
MI	16,100	1,307
MN	1,800	3,712
MO	9,400	2,403
MS	11,300	3,370
MT	0	31
NC	11,000	6,839
ND	0	134

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NE	700	434
NH	100	165
NJ	14,400	3,024
NM	400	614
NV	1,900	1,496
NY	21,800	7,247
OH	17,300	452
OK	5,900	1,713
OR	1,000	781
PA	15,500	4,588
RI*	800	635
SC	9,700	2,664
SD	100	26
TN	7,500	1,934
TX	54,500	12,163
UT	300	244
VA	13,700	7,556
VT*	0	63
WA	2,200	2,297
WI	7,600	1,387
WV	400	502
WY	100	49
Total Change	**460,000**	**139,293**

Sources: State estimates of prison populations by the Justice Policy Institute, and national estimates by the Bureau of Justice Statistics (2001,2000); National Center on Institutions and Alternatives (2001); National Center on Education Statistics (2001).

Conclusion: The Chance to Choose Classrooms over Cellblocks in the Future.

Over the past 15 years, funding increases for imprisonment have sharply outstripped increases for higher education, and the growth in black male imprisonment has greatly outpaced the growth in black male college enrollment. If fiscal year 2003 is, as predicted, as difficult on the states as the previous year, recent history suggests that states will make up shortfalls by cutting spending on education and social services, including higher education. If these cuts come, they would compound declining state investment in higher education over the fifteen-year period, as the growing corrections system crowds out colleges and universities.

States could choose, and some already have, another course. In February, the Justice Policy Institute reported that in 2001, some states began to choose new corrections policies to reduce the expensive emphasis on incarceration that was the hallmark of the agenda of the 1980s and 1990s. In *Cutting Correctly: New Prison Policies for Times of Fiscal Crisis*, JPI reported that some states have made cuts to correctional costs due to burdensome budget constraints and a shift in public opinion favoring treatment over incarceration. Republican governors in Ohio, Illinois, Michigan and Florida decided to close prisons. In Texas, North Carolina and Louisiana policy makers have reduced or taken steps to reduce their prison populations. Voters in Arizona and California have passed ballot initiatives diverting non-violent drug offenders from prison. Proposals have been made by legislators of both political parties and policy advocates to modify sentencing practices. Some significant reforms that are being enacted include:

- Repeal mandatory sentencing, restore judges' discretion, and place low risk nonviolent offenders in alternatives to incarceration. In Louisiana, the state with the highest incarceration rate in the country, Governor Mike Foster (R) saved the state $60 million by promoting a modification of the state's mandatory sentencing law, giving judges back the discretion to make appropriate sentencing decisions.

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- Reform drug laws to divert drug offenders from incarceration. California's Proposition 36 is projected to divert as many as 36,000 prisoners and probation and parole violators to treatment programs annually, and save the state $100-150 million a year in prison costs. Nearly seven million dollars is saved annually by diverting drug offenders in Arizona from incarceration because of Arizona's Proposition 200. Similar drug reform initiatives will be placed before voters in this November's elections in Michigan, Ohio and Washington, DC.

- Restructure sentencing. North Carolina's sentencing guidelines have helped the state reduce its prison population for much of the 1990s. State sentencing guidelines that went into effect in 1994 have diverted 10,000 to 12,000 offenders each year from prison sentences to non-custodial penalties involving treatment and/or strict community supervision. In 1980, North Carolina had the highest incarceration rate in the South. Today, North Carolina has the second lowest incarceration rate in the region.

- Reform parole practices. Parole reforms can be swiftly implemented without legislative battles and are supported by a public that favors the use of rehabilitation and "re-entry" programs planning to reduce recidivism. For example, Texas, the state with the largest prison system in the country, has modified its parole practices, increasing parole release and creating alternative sanctions instead of returning parolees to prison for minor violations. In doing so, the state cut the number of returning parolees by 26%, and reduced its prison population by 8,000 inmates.

New polling results show that public attitudes have shifted, and the voters are now ready to embrace a wide array of prevention, rehabilitation and alternative sentencing approaches. One recent survey conducted by the polling firm Belden, Russonello and Stewart found that the public believes that laws should be changed to reduce the incarceration of nonviolent offenders, and that rehabilitation should still be the top priority of the justice system. Polls taken in December 2001 in California and Pennsylvania found that respondents in those states put prison budgets at the top of the list for cuts in the upcoming budget session. Nearly three-quarters of those polled in Ohio in 2001 favored diverting non-violent drug offenders from prison into treatment. Opinion surveys compiled by the Open Society Institute Criminal Justice Initiative shows that the public favors dealing with the roots of crime over strict sentencing by a two-to-one margin, 65% to 32%. This is a dramatic change from public attitudes in 1994, when other polling found 48% of Americans favored addressing the causes of crime and 42% preferred the punitive approach.[35]

While state legislators have been locked into a fiscal dilemma for the last fifteen years, and in this fiscal year face "dire choices," they also have an historic opportunity to choose new correctional policies that might unlock the resources they need to stave off cuts to higher education. State, federal and local governments should conduct a sober review of their penal policies to make social investments that build communities, while keeping the public safe and guarding scarce public funds for the priorities that make the most sense for the country.

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EndNotes

1. The principal author of **Cellblocks or Classrooms** was Jason Ziedenberg and Vincent Schiraldi of the Justice Policy Institute a project of the Tides Center, with research assistance from Sara A. Newland, Morgan Strecker, Mark Houdin and Sara Meacham. Editorial assistance was provided by Deborah Clark, Laura Jones, Natalia Kennedy, Theresa Rowland and Vincent Schiraldi. **Cellblocks or Classrooms** was designed and laid out by JaVonne Pope, web master and designer for the Justice Policy Institute. This report was funded by a generous grant from the Criminal Justice Initiative of the Open Society Institute. For more information on the Justice Policy Institute, please visit our website at www.justicepolicy.org
2. "State Budgets: Tangled up in Red." *The Economist*, July 13, 2002.
3. *The Fiscal Survey of States*. Washington, DC: National Association of State Budget Officers, May 2002.
4. The Economist, July 13, 2002.
5. *Losing Ground: A National Status Report on the Affordability of American Higher Education*. Washington, DC: The National Center for Public Policy and Higher Education, 2002.
6. Id.
7. The other half of state funding is represented by **bonds (1.9% of total state spending)**, which are specifically designate to fund capital projects, or **federal funds (26%)**, which are most often specifically designated to run a program, like Medicaid. **Other state funds (24%)** represents expenditures from specific revenue sources that are mandated by law to go to ac.ities or functions, such a gasoline tax in state to help build new highways. See NASBO's *State Expenditure Report, 2000*.
8. Id.
9. Table, College Entrance Rate by Race/Ethnicity for Recent High School Graduates, 1960 to 2001. Oskaloossa, IA: Postsecondary Education, 2001. www.postsecondary.org
10. Eddin, Khaled Taqi, Macallair, Dan, and Schiraldi, Vincent. *Class Dismissed: Highe. Education vs. Corrections During the Wilson Years*. San Francisco, CA: Justice Policy Institute, 1999.
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15. We used 1987 fiscal data for Oklahoma, because they did not report their actual fiscals to NASBO for 1985 or 1986.

16. In both New York and California, the proportion of state funding of higher education from the general fund declined substantially from 1985 to 2000. Nevertheless, even if *all* state spending on higher education in those states were included (which would include money that comes from the federal government), California increased corrections spending by $2 billion more than it increased higher education spending, and New York increased spending on prisons by $1 billion more than spending on higher education over the same period. For more information, see fact sheets on California and New York at www.justicepolicy.org.
17. Since NASBO dropped the District of Columbia from the survey in the 1990s, we used the reported actual fiscals for 2000 from DC's Office of Budget and Planning. We used 1999 fiscal data for Wyoming because that state did not report actual fiscals for 2000.
18. *State Expenditure Report, 2000.*
19. *Losing Ground: A National Status Report on the Affordability of American Higher Education.* Washington, DC: The National Center for Public Policy and Higher Education, 2002.
20. Id.
21. Id.
22. Holman, Barry. *Masking the Divide: How Officially Reported Prison Statistics Distort the Racial and Ethnic Realities of Prison Growth.* Washington, DC: National Center on Institutions and Alternatives, 2001.
23. The variation in the way corrections systems define who is Hispanic or Latino has blurred the scale of their overrepresentation in prison, jail and juvenile corrections. For a more thorough discussion, see *Donde esta la justicia? A call to action on behalf of Latino and Latina youth in the U.S. justice system* Washington, DC: Building Blocks for Youth, 2002 www.buildingblocksforyouth.org.
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31. Table, "College Entrance Rate by Race/Ethnicity for Recent High School Graduates, 1960 to 2001." Oskaloossa, IA: Postsecondary Education Opportunities, 2001. www.postsecondary.org
32. 32. The composite national number would be from Table 208, Digest of Education Statistics. Data are for 4-year and 2-year degree-granting higher education institutions that participated in Title IV federal financial aid programs. SOURCE: U.S. Department of Education, National Center for Education Statistics, Higher Education General Information Survey (HEGIS), "Fall Enrollment in Colleges and Universities" surveys; and Integrated Postsecondary Education Data System (IPEDS), "Fall Enrollment" surveys, 2001.
33. For the state estimates, we used NCIA estimates for the race and ethnicity of state prison inmates because their methodology controls for the over-count of African Americans that occurs when states count a segment of inmates as "Black," when they might be counted as Latino or Hispanic in another state. While some states keep and publish up-to-date racial breakdowns of their prison populations, many states do not, and NCIA projections serve as a good baseline to determine estimates of the African American male prison population for each state. Still, some variance between what a state reports in the proportion of African American men in their prison system and the NCIA estimate may occur.
34. Using a different methodology with different proportions of the racial and ethnic composition of inmates, the Bureau of Justice Statistics estimated in *Prisoners in 2000* that there were 572,000 African American men in state or federal prisons-an estimate that varies from the one published here by 5%.
35. For more information on the Peter D. Hart Research Associates February 2002 survey, please see http://www.soros.org/crime/.

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